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RUEKJCS/CJCS WASHINGTON DC  
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RUEHGV/USMISSION GENEVA 3064  
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C O N F I D E N T I A L SECTION 01 OF 05 TOKYO 002004

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TAGS: [MOPS](#) [PARM](#) [PREL](#) [JA](#) [NATO](#)

SUBJECT: JAPAN URGES PROGRESS ON CLUSTER MUNITIONS IN CCW

REF: A. TOKYO 00438

[1](#)B. TOKYO 1716

Classified By: Charge d'Affaires a.i., Joseph R. Donovan for reasons 1.  
4(b) and (d)

[1](#)1. (C) SUMMARY. Japan believes in the need for close U.S.-Japan coordination on cluster munitions (CM) and wishes to see the U.S. encourage progress on CM via the Convention on Conventional Weapons (CCW) for a formal negotiating mandate "by the end of the year," DDG Shimbo told visiting DAS Ruggiero on April 27. This mirrored the message Acting Assistant Secretary Mullen received during a visit on April 11. Japan feels compelled to participate in the Oslo process meetings in order to influence any "unrealistic" proposals, maintain positive and growing relations with European nations, and to counter domestic public criticism that Japan is not acting. The CCW mandate provides an alternative to the Oslo process for moderate and CM possessing nations besides Japan such as Britain, France, and Germany to participate while potentially rolling in Russia and China. DAS Ruggiero reiterated the utility of cluster munitions and underscored the U.S. desire to see any discussion of CM balance security and humanitarian concerns. Ruggiero also conveyed the willingness of the U.S. to discuss ) in principal - a negotiating mandate for the June CCW, but reserved the final U.S. position until that time. END SUMMARY.

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APRIL 27 MEETING INTRODUCTION  
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[1](#)2. (C) In his first meeting with Political-Military Affairs Acting Deputy Assistant Secretary Frank Ruggiero on April 27, MOFA Disarmament, Nonproliferation, and Science Department Deputy Director-General Masatoshi Shimbo extended a warm welcome to DAS Ruggiero. Ruggiero noted the recent visit to

Tokyo of AA/S Mull and said this demonstrates the great importance Washington attaches to working with Japan on the CM issue. U.S. Force Japan (USFJ) Deputy Commander Major General Timothy Larsen was also in attendance for the U.S. delegation.

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REVIEW OF OSLO MEETING  
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13. (C) Japan believes there is a definite need to engage in the Oslo Process, explained Shimbo, and for that reason MOFA Conventional Arms Division Director Ryuichi Hirano led a delegation to the meeting held February 23-25. However, Japan did not support the declaration made at the conference and noted that Britain, France, and Germany all seem to prefer to deal with the CM issue through the CCW process. Japan agreed that it is best to attach great importance to the CCW process but, nevertheless, will continue to engage with other forums such as the Oslo process where the CM issue is discussed. Tokyo fears, said Shimbo, that failure to do so will concede this issue to the more radical elements who are driving the Oslo agenda.

14. (C) DAS Ruggerio replied the United States shares the humanitarian concerns of the Oslo countries. However, we believe that any discussion concerning the use of CM must take place in a forum that balances humanitarian with military concerns. The CCW is the best forum. It is important for the U.S. and Japan to work together on this, he said, as restrictions on the use of CM might very well have an impact on how the United States meets our treaty obligations and engages in the defense of our friends.

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JAPAN'S STANCE  
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15. (C) Japan does not actively support the Oslo Declaration because Tokyo believes it prejudices the process and direction of discussions on the use of CM without fully discussing the various aspects of the issue, including security and technical aspects. Japan understands that the original aim was to create a treaty on CM to prevent or minimize civilian casualties owing to unexploded sub munitions. However, Tokyo is concerned that some countries that have no need to rely on CM for their own defense will push for a total ban. If the process moves forward without the participation of major producers or possessors, such as China and Russia, any treaty agreed upon will not ensure effective action to reduce civilian casualties. Japan therefore believes it is necessary to foster a balanced discussion that takes into account both humanitarian and security aspects, and steps should be taken to prevent the Oslo process from resulting in a premature or ineffective treaty. So even though Japan does not agree with the goal of the Oslo process, it believes it is important to participate so as not to concede this issue to others.

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THE ROLE OF PUBLIC OPINION  
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16. (C) Public opinion is playing a role in Japan's participation in the Oslo process, Shimbo explained. Although Tokyo has explained its position the use of CM to the media, some outlets are pushing the issue and, if Japan is not part of Oslo, the public is likely to ask why their government is not participating in an effort to promote humanitarian concerns. The worst case, said Shimbo, would be for Japan to not participate in the process and then be forced into it by public opinion too late to influence the outcome.

17. (C) The United States understands the role public opinion plays in this issue, replied DAS Ruggerio, noting European public pressure in particular and asked whether this was the case in Japan. Shimbo replied that the pressure has not been

as great, and that the government has not been forced to change its policies on CM yet. However, Mainichi ) Japan,s third largest circulation daily newspaper - has begun a campaign to outlaw CM and is running articles and editorials about this on a frequent basis. In addition, the opposition Social Democrats and Communists - and even some Democratic Party of Japan Diet members - are beginning to ask why Japan is not taking a more proactive position toward banning CM. He said that many critics are ignorant of the facts and falsely confuse CM with anti-personnel landmines (APL). Critics ask if APLs have been banned, why shouldn't the same be done to CM. Shimbo concluded that these factors also make it better for Japan to participate in the Oslo process and hopefully added that so far Japan has been able to contain public pressure.

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LIMA MEETING  
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18. (C) Shimbo asked whether the United States has received an invitation to attend the follow up meeting in Lima May 23-25, and whether there has been consultation about this with others. Ruggerio replied the United States has not received an invitation, nor has it sought one. Shimbo said he was disappointed Japan had received an invitation and that public pressure will make it necessary for Japan to attend. No decision has been made on the level of the delegation to be sent, but it is possible it will be upgraded from the one sent to Oslo. Tokyo is waiting to see what others will do while also considering public opinion.

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THE ROLE OF THE CCW PROCESS  
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19. (C) The role that progress on the CM issue played in the CCW process is an interesting question, said Shimbo. If the CCW makes progress on the CM question it could take the wind out of the sails of the more radical elements driving the Oslo process. It is clear the British, French and Germans would all prefer to see this handled through CCW, but at the same time it will be impossible to derail the Oslo process. Even if progress is made in CCW, Oslo will likely continue to exist possibly in an oversight role.

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SECURITY CONCERNS  
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110. (C) There is a disparity between the way European countries and Japan see their own security needs and, with them, the need for CM, explained Kawamura. In Europe, the threat of invasion by the USSR no longer exists, making the public believe there is no longer a need to deploy CM in their arsenals. However, in Northeast Asia, the countries that neighbor Japan still maintain large ground and amphibious capabilities, and the potential threat of hostile landings on Japanese territory still exists, even if the possibility has been lessened. Accordingly, Japan must rely heavily on CM as a means to neutralize an invading force as quickly as possible.

111. (C) USFJ Deputy Commander Major General Larsen confirmed the potential use of CM is vital for the defense of Japan. Japanese and U.S. forces discuss and train together about how these munitions will be used, and most of the scenarios we've gamed together envision the use of these assets. MOD Chief of Defense Plans and Policy Colonel Shunji Izutsu, a former F-4 pilot, echoed the necessity of CM for the defense of Japan. Both MajGen Larsen and Col Izutsu highlighted there were occasions where CM employment is more effective, more discriminate, and creates less collateral damage than other munitions. Precision is vital, but JDAM or pinpoint weapons are not enough to defend our nation, emphasized Col Izutsu.

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INTERNATIONAL HUMANITARIAN LAW AND THE CCW  
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¶12. (C) At the GOJ,s prompting, DAS Ruggiero reiterated the U.S. position that International Humanitarian Law covers CMs in terms of being discriminant and preventing unnecessary suffering. He also expressed the U.S. willingness to discuss ) in principal - a negotiating mandate for the June CCW, but reserved the final U.S. position until that time. Shimbo was heartened to hear this flexibility in U.S. policy and stated that without it, Japan would be under pressure to support Oslo-driven restrictions.

¶13. (C) Shimbo added that there is a good possibility many moderate nations will abandon Oslo if CCW takes hold of the issue and shows progress. If Japan is to be under any restriction, Shimbo pointed out, Russia and China must also. For this, CCW is key. Shimbo stated Japan supports the CCW government group of experts (GGE) meeting in June to give recommendations to government leaders in order to achieve the goal of having a negotiating mandate in November. Kawamura tempered the need to cooperate in an international negotiating mandate with the need to cooperate with the U.S. for the vitality of the alliance.

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MOVING TOWARD A VIABLE MANDATE  
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¶14. (C) DAS Ruggiero shared that the US has initiated a review of the future use and types of CM to determine what a CM mandate should include--i.e. usage, technical parameters, impact on the alliance and coalition. It is already U.S. policy that future CM procurements have a ninety-nine percent function rate. It would be cost prohibitive to address existing stockpiles, thus it would be important for any agreement on CM to have a robust transition period.

¶15. (C) Shimbo asked how we can gain a negotiating mandate, proposing the U.S. and Japan combine forces to demarche other countries with a similar message. Having spoken with Russia, China, Israel, Germany, and France, Hirano confirmed they are seriously considering a negotiating mandate on CM. Kawamura asked if the U.S. would participate in an NATO or EU forum on the issue. DAS Ruggiero responded the U.S. is trying to negotiate in the CCW forum and is considering how to approach the issue in a NATO context. On the EU, Ruggiero noted that Germany has made a joint proposal on establishing a negotiating mandate and has broached U.S. support with the USG, but we are still considering the proposal.

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What If?  
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¶16. (C) Shimbo asked what if Japan signed an instrument on CM and the U.S. did not? MajGen Larsen said any instrument that restricts Japanese military, civilian, or contractor use or handling of CM would adversely impact the alliance. We have worked hard to equal the U.S.-Japan partnership, but if one side restricts the use or type of weapons, the relationship becomes more one-sided again. Additionally, more U.S. troops would be required to handle the CM, forcing an increase in troop levels on the heels of historic negotiations reducing the number of U.S. forces in Japan. MajGen Larsen,s comments noticeably set Shimbo and the Japanese delegation back on their heels. Shimbo confirmed from an alliance aspect, then, it would be difficult if we end up in different international instruments.

¶17. (C) Both sides agreed to consider scheduling another meeting in Washington D.C., likely in early June, just after the Oslo group meets in Peru. Japan could share the results of the Lima meetings and discuss a way ahead, before the CCW experts meeting later in June.

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COMMENT  
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¶18. (C) MOFA and MOD understand the critical nature of CM to the defense of Japan and want to retain the flexibility to employ them. However, domestic pacifist pressure to address humanitarian concerns may outweigh their preferences. Japan also fears isolation from Europe. An alternative instrument on CM via CCW will be instrumental in maintaining their support on this issue.

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PARTICIPANTS  
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¶19. (U) Japan Delegation:

Masatoshi Shimbo, DDG, Foreign Policy Bureau, MOFA  
Osamu Izawa, Director SOFA Division, MOFA  
Ryuichi Hirano, Director Conventional Arms Division, MOFA  
Nobuharu Imanishi, Principal Dep Director Conv. Arms, MOFA  
Nobuki Kawamura, Director Defense Policy Bureau, MOD  
Yukinari Hirose, Director Int'l Policy Division, MOD  
Yukihiro Sukisaki, Dep Director Int'l Policy Division, MOD  
Manabu Mannami, Principal Dep Director Defense Policy, MOD  
Makoto Igusa, Deputy Director Defense Policy, MOD  
Hajime Kitajima, Deputy Director Jp-U.S. Treaty Div, MOFA  
Futoshi Kono, Dep Director Defense Ops Division, MOD  
Keisuke Honda, Dep Director Weapons & Warships Div, MOD  
Colonel Yoshihiko Okimura, Chief Int'l Policy Section, ASO  
Colonel Shunji Izutsu, Chief of Defense Policy Section, GSO  
Major Moriki Aita, Defense Policy Division, MOD  
Takuma Kajita, Int'l Legal Affairs Bureau, MOA  
Satoru Kusayama, SOFA Division, MOFA  
Maiko Tamagawa, Conventional Arms Division, MOFA

¶20. (U) U.S. Delegation:

Frank Ruggiero, DAS PM  
Katherine Baker, PM/WRA Analyst  
Major General Timothy Larsen, USFJ Deputy Commander  
Colonel Danny Melton, USMC Attache  
Lieutenant Colonel Mark Hague, USFJ/J54, Chief Government Relations  
Capt Amanda Scoughton, Aide de camp  
Evan Reade, US Embassy Pol-Mil Section (note taker)  
Trevor Rosenberg, US Embassy Pol-Mil Section (Control Officer)

¶21. DAS Ruggiero has cleared this cable.  
DONOVAN